

Serious USA, Inc. vs. CD Digital, et al.

Case Number 08 CIV 4808

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	5/27/08 at 4:37pm
NAME OF SERVER (PRINT) SHELL FEINBERG	TITLE	Process Server
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: IMX SOLUTIONS, INC. To ROBERT BATEMAN, 32605 W. 12 Mile Rd. #275, Farmington Hills, MI 48334		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.		
Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on <u>5/27/08</u> Date	<u>Shell Feinberg</u> Signature of Server Shell Feinberg	
CLSS - NationWide Service Center (NWSC) 2522 Lower Mason Creek Road Bandera, TX 78003		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

ORIGINAL

3286100.55550

CIVIL ACTION SUMMONS; CIVIL COVER SHEET; COMPLAINT FOR PATENT INFRINGEMENT; EXHIBIT(S) A THRU "I"; RULE 7.1 STATEMENT; INDIVIDUAL PRACTICES OF JUDGE SIDNEY H. STEIN; CONSENT TO PROCEED BEFORE UNITED STATES MAGISTRATE JUDGE; CRITICAL INSTRUCTIONS TO ATTORNEYS; GUIDELINES FOR ELECTRONIC CASE FILING; PROCEDURES FOR ELECTRONIC CASE FILING; INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW J. PECK; CONSENT TO PROCEED BEFORE UNITED STATES MAGISTRATE JUDGE

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Serious USA, Inc., Serious IP, Inc.
and DXPDD, LLC

SUMMONS IN A CIVIL ACTION

V.
CD Digital Card, et al.
(Please see the attached addendum)

CASE NUMBER:

08 CIV 48087

TO: (Name and address of Defendant)

CD Digital Card
11150 White Birch Drive
Rancho Cucamonga, California 91730

(Please see the attached addendum)

IMX SOLUTIONS, INC.

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Seth H. Ostrow, Esq.
Dreier LLP
499 Park Avenue
New York, New York 10022

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

MAY 22 2008

J. MICHAEL McMAHON

CLERK

DATE

(By) DEPUTY CLERK

SUMMONS IN A CIVIL ACTION ADDENDUM

PLAINTIFFS:

Serious USA, Inc., Serious IP, Inc. and DXPDD, LLC

DEFENDANTS:

CD Digital Card; CD Works; Disc Makers; IMX Solutions, Inc.;
Infinite Marketing Inc.; Ingram Micro Inc.; L&M Optical Disc, LLC;
Microvision Development, Inc.; Onedisc.Com, Inc.; Sonarus Corporation

DEFENDANTS' ADDRESSES:

CD Digital Card
11150 White Birch Drive
Rancho Cucamonga, California 91730

CD Works
1266 Soldiers Field Road
Boston, Massachusetts 02135

Disc Makers
16 West 18th Street
New York, New York 10011

IMX Solutions, Inc.
210 E. Third Street, Suite 202
Royal Oak, Michigan 48067

Infinite Marketing Inc.
3475 Lenox Road, Suite 400
Atlanta, Georgia 30326

Ingram Micro Inc.
1759 Wehrle Drive
Williamsville, New York 14221

L&M Optical Disc, LLC
303 Louisiana Ave
Brooklyn, New York 11207